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E-Filed: December 10, 2013

NOT FOR CITATION
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

JOSE VILLALOBOS MUNOZ,
Plaintiff,
v.
ZORBA GROUP, INC., ET AL.,
Defendants.

No. C13-01779 HRL

**ORDER TO SHOW CAUSE RE:
DISMISSAL FOR FAILURE TO
PROSECUTE**

On November 5, 2013, this Court held a hearing on plaintiff’s counsel’s motion to withdraw as attorney of record. Counsel alleged that plaintiff missed several scheduled meetings and refused to return his phone calls. Plaintiff did not file an opposition to the motion nor appear at the hearing. The Court granted the motion and ordered plaintiff to appear at a Status Conference on December 10, 2013, at 1:30 p.m. Plaintiff was cautioned that failure to appear at the Status Conference could lead to dismissal for failure to prosecute pursuant to Rule 41(b) of the Federal Rules of Civil Procedure. Nevertheless, plaintiff did not appear.

Because of plaintiff’s continued failure to take the necessary steps to prosecute his own case, the Court is prepared to dismiss plaintiff’s case for failure to prosecute. Plaintiff shall appear on **January 7, 2014, at 10:00 a.m.** in Courtroom 2, Fifth Floor, 280 South First St., San Jose CA 95113 and show cause, if any, why this case should not be dismissed. Plaintiff shall file a Statement in response to this Order to Show Cause no later than **December 31, 2013**. Plaintiff’s failure to appear at the hearing will serve as further grounds for dismissing the case.

IT IS SO ORDERED.

United States District Court
For the Northern District of California

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Dated: December 10, 2013



HOWARD R. ZOYD
UNITED STATES MAGISTRATE JUDGE

1 **C13-01779 HRL Order will be mailed to:**

2 Thomas Margain
3 Huy Tran
4 84 W. Santa Clara St., Ste. 790
5 San Jose, CA 95113

6 Jose Villalobos Munoz
7 399 Smalley Avenue
8 Hayward, CA 94541

9 Matthew Angell
10 1700 N. Broadway, Ste. 310
11 Walnut Creek, CA 94596

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